

## REMARKS

In Response to the Examiner's Action mailed September 27, 2002, Applicant amends his application and requests reconsideration. In this Amendment, no claims are cancelled and claims 5 and 6 are added so that claims 1-6 are now pending.

The Examiner requested that Figures 5 and 6 be identified as prior art. That Amendment is proposed.

The drawings were objected to as confusing. The confusion arose not the drawings, but from the description of the drawings on page 3 of the patent application. In this Amendment, a substitute specification is supplied that overcomes the issue raised by the Examiner concerning particular description of the figures. The substitute specification clarifies the application by correcting translational errors, improving the grammar of the patent application, changing punctuation, and improving word choice. However, the substitute specification adds no new matter. In addition to the substitute specification, a computer generated document showing the differences between the application as filed and the substitute specification is attached.

The objection to the drawings as not including a reference number specifically pointing to a protrusion is traversed. In fact, the objection is moot in view of the amendment of claim 1 identifying the protrusions. Those protrusions are described by text and numbers in the specification.

The Examiner requested a more descriptive title. A substitute title is supplied.

The amended form of claim 1 presented in this Amendment is fully supported by the application as filed. Support for the amended claim is found, for example, in each of Figures 2-4 and the accompanying description in the specification. Claims 2 and 3 are clarified in a minor way. Claim 4 is amended and is consistent with the description of the patent application pertaining to Figures 1, 3, and 4. Newly added claim 5 is fully supported by the description corresponding to Figures 3 and 4, and new claim 6 is entirely supported by the description with respect to Figure 2.

In view of the amendments that have been made to examined claims 1 and 4, the objection to claim 4 and the rejection of claim 4 pursuant to 35 U.S.C. 112, first paragraph, and of claims 1-4 with respect to 35 U.S.C. 112 second paragraph, have been overcome.

Examined claims 1-4 were rejected as unpatentable over Namba et al. (U.S. Patent 6,230,846, hereinafter "Namba"), in view of Ishikawa (Japanese Published Patent Application 2000-159453). This rejection is traversed on two totally independent grounds.

The present application is the national phase of a PCT patent application. This application was filed pursuant to 35 U.S.C. 371. Thus, its effective U.S. filing date is the date of

In re Appln. of SHIGEKI YAMAKAWA  
Application No. 09/889,665

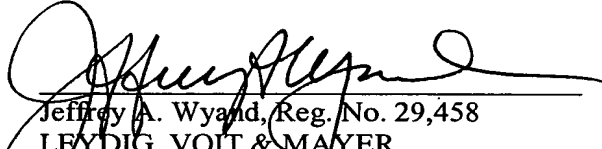
the filing of the international patent application designating the United States, namely January 17, 2000 (see MPEP 1893.03(b)). The effective date of Ishikawa is its date of publication, namely June 13, 2000, well after the international filing date of the present patent application, i.e., the effective filing date of the present U.S. patent application. Accordingly, Ishikawa is not prior art to the present application and the rejection is legally defective on that ground.

Even if the rejection were legally cognizable, it would be erroneous. The control panels of both Namba and Ishikawa are not disposed on the same face of the hoistway wall as the protrusion, as the patent application and amended claim 1 define that term. All of the figures of Namba and all of the figures of Ishikawa that disclose a control panel show the panel mounted on the side wall of the hoistway, not a wall of the hoistway in which there is any opening nor any protrusion related to opening and closing of the doors of the elevator car. Thus, the combination of Namba and Ishikawa could not possibly supply all of the limitations of the claims now pending.

For both of the foregoing reasons, the prior art rejection must be withdrawn.

Prompt and favorable action on the merits is proper and earnestly solicited.

Respectfully submitted,

  
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